

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

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Ditech Financial LLC

In Re:
Frederick Allen & Wendie Durham-Allen,

Debtors.



Order Filed on January 30, 2018
by Clerk U.S. Bankruptcy Court
District of New Jersey

Case No.: 16-18544-JNP

Adv. No.:

Hearing Date: 12/5/2017 @ 10:00 a.m.

Judge: Jerrold N. Poslusny, Jr.

**AMENDED ORDER CURING POST-PETITION ARREARS AND RESOLVING
MOTION FOR RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: January 30, 2018

A handwritten signature in dark ink, appearing to read "J. Poslusny, Jr.", written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

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Debtor: Frederick Allen & Wendie Durham-Allen

Case No: 16-18544-JNP

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Ditech Financial, LLC, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 172 W Lake St., Bridgeton, NJ 08302, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Seymour Wasserstrum, Esq., attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of December 1, 2017, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due April 2017 through December 2017 for a total post-petition default of \$9,253.54 (3 @ \$1,022.86, 6 @ 1,133.68 less suspense balance of \$617.12); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$9,253.54 shall be added to the affidavit of amount due and paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that the Debtors shall amend the plan accordingly within 14 days; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume January 1, 2018, directly to Secured Creditor (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtor's Chapter 13 plan; and the motion is hereby resolved.

